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## NOTES.

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### I. MUNICIPAL GOVERNMENT.

The League of American Municipalities held its fifth annual convention at Jamestown, N. Y., August 21-23, 1901. About sixty cities in twenty states sent delegates. Among 175 accredited delegates, *i. e.* city officials, there were about twenty mayors and a half dozen engineers, ten other departments having from one to five representatives. Six business sessions were held, at which a dozen prepared papers were presented. Several valuable papers were read by title, including "Self-Government for Cities," by Professor Frank Parsons, and "Practical Applications of Uniform Accounting to City Comptrollers' Reports," by H. S. Chase, of Boston, this last being probably the most important of the papers which appear in the proceedings. Of the principal papers published six, or about one-third, recount actual experiences and have to do with garbage disposal, cost and durability of brick pavements, bituminous pavements, steel and concrete in municipal construction, municipal restriction of vice and municipal lodging houses. The remaining papers are for the most part general, and with one or two exceptions do not show signs of careful preparation. At the sessions there was little relevant discussion of material presented, nor were many questions asked. About the hotels, however, and during recesses there was a liberal interchange of experiences, showing that delegates, if not caring for the theories and rhetoric of other delegates, were really interested in what cities had done or attempted.

A visitor was impressed by the predominance of the smaller cities, of which there are scores, and the non-representation of the large cities, of which there are very few. That East St. Louis sent twenty-seven delegates and Wilmington, Del., sent fifteen, means more for the dissemination of important practical information than for Chicago and New York to have sent their entire official staffs. Secondly, the convention demonstrated that generalizations and theories based upon one or two years of service in any municipal office are not necessarily practical. So long as officials told only what they knew they held the interest of fellow-officials and contributed to the most worthy ends for which the League stands.

**Alabama Constitutional Convention.**—*Municipalities.*—The work of the Alabama Constitutional Convention was completed on September 4, when the constitution was signed by the members and submitted to the people for ratification. The chairman of the committee upon

<sup>1</sup> Contributed by Albert E. McKinley, Ph. D., Philadelphia, October 8, 1901.

municipalities was Hon. John B. Weakley, president of the League of Alabama Municipalities, and well known for his efficient management of the affairs of the city of Florence during his service in the office of mayor. With Mr. Weakley, fourteen other members were associated upon this committee. On the twenty-fourth of last June the committee reported a well-designed scheme of municipal government to the convention. The Assembly should have authority to divide municipalities into four classes and pass general laws for the organization and control of each class; and it might assign cities to the respective classes according to their population at the last Federal census. Any city having over 20,000 inhabitants should have the privilege of appointing a board for charter revision, and the right to accept or reject the amended charter by popular vote. No public franchises should be given for a longer term than twenty years, and thirty days' advertisement must be made of application for franchises. No municipal bonds should be issued except after popular vote sanctioning the issue. No railway, telegraph, telephone, heating or lighting company should be permitted to lay tracks or erect apparatus upon the streets of cities or towns without the consent of the municipalities concerned. Restrictions were placed upon the taxing and borrowing powers of municipal corporations; but exceptions were made in favor of nine named corporations.

The work of the committee was largely set aside by the convention, which made but slight advance toward grouping of municipalities or a general system of local government. By the completed document, indeed, the legislature is forbidden to pass special acts incorporating municipalities, but the committee's suggestion of a mandatory provision compelling the establishment of four classes of cities and towns was cut out. The radical proposal for the amending of city charters by popular vote was tabled in convention. On the other hand, the document contains the provision giving municipal corporations control of their own streets. The convention also took strong ground on the public franchise question, limiting the term of all grants by municipalities, except to railroads other than street railways, to a period of thirty years.

Definite limits are placed, both to taxation and to borrowing, by the new constitution. The general limit to the taxing power is one-half of one per cent upon the valuation as fixed by the last state assessment; but this is subject to several exceptions. Thus a tax of one per cent may be levied to pay debts contracted before December 6, 1875; the city of Mobile may levy a tax of three-quarters of one per cent; Montgomery may levy one and one-quarter per cent; and sixteen other cities and towns may exceed the one-half of one per cent in certain proportions and for certain specified purposes.

No county may exceed a total indebtedness of three and one-half per cent of the assessed valuation of property therein; except where that proportion is at present exceeded, in which case an addition of one and one-half per cent may be made. For towns under 6,000 population the general limit of indebtedness is five per cent; and for towns exceeding that population, the general limit is seven per cent. But in both of these cases there are exceptions in favor of certain forms of indebtedness and in favor of enumerated towns. The seven per cent limit is extended to the towns of Gadsden, Ensley, Decatur and New Decatur, although their population varies between 2,100 and 4,437; the limit does not apply to loans contracted for school houses, water works or sewers; and "nothing herein contained shall prevent any municipality except the city of Gadsden from issuing bonds already authorized by law." The two sections containing this jumble of general and special legislation close with the words: "This section shall not apply to the cities of Sheffield and Tuscombia."

This is local legislation of the most pronounced type. When the sections were under discussion in the convention, one member after another had an exception to introduce; and at last when a delegate protested against such special provisions, twenty cities or towns had been specifically favored in the constitution. These municipalities, with but five exceptions, are growing communities, showing a higher rate of increase in population between 1890 and 1900 than the average for the whole state; and they vary in size from a population of 551 up to 38,469.

Upon the whole the municipal provisions of the constitution are very conservative. The restrictions upon taxation and indebtedness are good features, but they are rendered almost nugatory by the special legislation which the convention adopted. A like privilege of special legislation, fortunately, it forbade the legislature to exercise. Local control over municipal charters was refused, but provision was made for the submission of all loan proposals to popular vote. The most radical feature was the thirty years' limit upon public franchises.<sup>1</sup>

**Utah.**—*Woman Suffrage and Municipal Politics.*<sup>1</sup> Utah was the second among the western commonwealths to extend to women the privilege of voting at general elections, Utah's woman suffrage bill having been approved two months after a similar bill had passed the legislature of Wyoming. Though the institution may be regarded in a general way as one of the natural products of the West, in Utah it has had a far more sensational meaning and history than are attached to it in any other locality. Here, as elsewhere, it is now but a com-

<sup>1</sup> Contributed by Professor G. Corey

monplace of western life; originally it was one of the most hated allies of polygamy, though suggested by its inventor, so far as Utah is concerned, as the rock upon which polygamy was to end its existence.

In the early days of the Utah agitation the belief was common that the women of Utah were being drawn into plural marriages contrary to their sentiments, and that if given the elective franchise and a secret ballot they would accomplish their deliverance by diverting all political power from the supporters of polygamy into the hands of its enemies. In accordance with this idea, some time in 1869 Representative Julian, of Indiana, introduced into the House of Representatives a bill giving to the women of Utah the elective franchise, for the purpose, as alleged, of abolishing polygamy. Senator Pomeroy, of Kansas, about the same time introduced a similar measure into the Senate. Neither of the bills became law, but the men against whom they were designed quickly perceived in this stupid error of their adversaries the suggestion of a new advantage to themselves. They accordingly proceeded at once through the territorial legislature, which they controlled at that time, to legalize woman suffrage.

The first succeeding election fully revealed how very little the opponents of polygamy then knew of the real character of that problem. It being manifested that the woman's vote was indeed a new moral as well as political intrenchment for polygamy, various efforts were made through the federal courts and by other means to invalidate the woman suffrage law, but the practice continued without interruption until the law was finally annulled by a provision in the Edmunds-Tucker law, approved in 1887, which compassed likewise the disfranchisement of all male voters practicing plural marriage.

This was indeed the end of woman suffrage as an adjunct of polygamy; but the institution for its own sake remained as an active moral principle in the social fibre of the commonwealth, and nine years later, when the enabling act had been passed for the admission of Utah into the Union, and the people and the institutions of the territory were unconsciously adjusting themselves to the contemplated change in their political life, then this great principle of woman's right, divested of the hateful associations of its infancy, matured, compact and assertive, arose again into public thought, and with so forceful a presence as to meet with scarcely a pretence of resistance; and so it became a part of our fundamental law.

Since our admission into the Union, Utah has been under the same national party system that prevails in other states. Under their constitutional privileges women have participated on an equality with men in all regular political functions, such for instance as committee

organizations, primaries, conventions, campaign work, and elections. Some have occupied seats in the legislature, but that practice is losing favor. While the results are not in form for statistical presentation, the public mind on the subject is sharply defined and self-evident. There does not appear anywhere the faintest symptom of a belief that the women of Utah will ever be deprived of their elective franchise.

When we come to practical results we find them very much more indeterminate than are opinions and theories. In municipal affairs, for instance, the tendency of spoils-men in public service seems to be about as corrupt as ever. Nevertheless the theory is sound, and is maintained with firmness, that whatever independent influence woman may exert as a voter must in the nature of things be in the direction of good government.

Allied to this question is one touching the relative individuality of the sexes. In the preparation of this article many prominent men have been consulted, and somewhat to my surprise the belief proved to be general, that in households containing adult children of both sexes, while the tendency is for the group to vote as a unit, in case of a departure from this rule, the dissenting voter is more likely to be found among the female than among the male members. And yet the chief fault which the party promoters find with the woman vote is that women do not turn out at elections with an interest proportionate to their voting strength. It is estimated that the relative vote with respect to sex has never been more favorable to the women than three to five. This is about the complexion of the primaries. In the conventions the female representation is not greater than one-tenth. But there seems to be no doubt that political interest among the women is steadily growing.

The question has been asked by many students of the subject: Does the wife vote her husband's ticket? The answer is, that she probably does when he does not vote hers, and it is almost as likely to be one way as the other, the family influences being of a reciprocal character. But the people of Utah do not generally regard that feature as an objection to woman suffrage. They hold that the interest of a family in the maintenance of good government is far greater than that of an unmarried person, and that it is entitled to an advantage at elections.

**Idaho.**—*Woman Suffrage and Municipal Politics.*<sup>1</sup> The right of suffrage was extended to the women of Idaho in 1896 by a vote of 12,126 to 6,282. As over 10,000 electors failed to vote for or against the constitutional amendment, the Board of Canvassers declared that

<sup>1</sup> Contributed by Ida M. Weaver, Boise City.

the amendment had failed of ratification by a majority of the electors. Upon appeal to the Supreme Court, it was decided unanimously that the amendment had been adopted, the silence of the 10,000 voters being construed as assent. At the first election following the enfranchisement of women three women were elected to the legislature, one each from the republican, populist and silver republican parties, and a woman, the present incumbent, was made State Superintendent of Schools. Many local offices were filled by women, notably the county superintendency of schools. During campaigns women's political clubs establish headquarters and keep a close watch on the registrar's books, and facilitate by every practicable legitimate means the registration of women voters.

The effect of equal suffrage upon municipal politics was characterized as follows in a recent letter from the chief justice of Idaho to the writer: "It has made all political parties more careful in the selection of candidates for office, especially the more important county offices, it being generally recognized as a fact that women will not support dishonest or corrupt men or women for office."

**Philadelphia.**—*The Voters' Union* of the twenty-seventh division, Twenty-second Ward, City of Philadelphia, was organized in September, 1901, with these objects: The arousing of interest in the proper exercise of the ballot; the dissemination of information in regard to candidates, party meetings and primary elections; the publication of election returns; the publication of extracts from the election laws and rules of the various parties; the improvement in every way possible of the conditions surrounding the holding of elections, primary and general. It is a home organization, with the field of its activities a single election district, and with no outside alliances. It does not endorse candidates, except as to the regularity of their nominations.

The information which is furnished about candidates consists of facts only, nothing editorial. Name, age, residence, occupation, political connections past and present, record as an officeholder, if any, and a photograph are all easily obtained, and go a long way in placing a candidate properly in the scale of fitness for any office to which he aspires. This information is furnished voters about candidates for ward, township and division offices before the elections, both primary and general. It is upon these minor offices, to which the newspapers give little or no attention, that the greatest stress is laid. One important branch of the work is the holding up to their full duty the officers conducting elections, primary and general.

All voters of the division are eligible to membership. It requires a majority vote of the executive committee, however, to elect. No one

is elected to membership until he has expressed a resolution to attend each year, for a period of five years, the two general elections; and, further, if he belong to a party, the primary elections and other regular meetings called for in the rules of that party. The rules of the Republican party call for attendance at the polls seven times a year. Out of over 300 Republican voters less than ten fulfilled these obligations last year. It is understood that members who, by reason of sickness or unavoidable absence from their homes, or from other cause, are unable to exercise these duties at any time will advise the secretary, if possible, before the date of the meeting or election which they do not expect to attend.

The work is conducted by an executive committee of seven, elected at the annual meeting. They fill vacancies in their own body. There are no dues and the expenses are borne by voluntary contributions. An officer becoming a candidate for public office ceases to hold his office in the Voters' Union.

During the recent campaign personal letters were sent to every voter in the division who did not vote at the previous election. A stronger personal letter was sent to those who did not vote at the two previous elections. Notices to pay poll tax, miniature sample ballots, and other information about the election were sent to every voter. The morning after the election a detailed statement of the vote in the division was sent to every voter. The result of the work was shown by an 83 per cent vote. At four of the preceding six elections the vote was 40 per cent, at one of them 60 per cent, and at another (the last presidential election) 78 per cent. A twenty-four page hand-book, giving digests of the rules of the Republican and Democratic parties, a list of election offices, with present incumbents, election statistics, a list of voters in the division, a political roster for the year 1902, etc., is now in press. Every effort has been made to do the printing in an attractive though not expensive way. Work for the spring campaign began the day after the last election.

**Cincinnati.**—*Refunding; Special Legislation.*<sup>1</sup> At the recent November election the electors of the city by a vote of two to one authorized the trustees of the Cincinnati Southern Railroad (Cincinnati to Chattanooga, Tenn., 335 miles) to extend the present lease now held by the Cincinnati, New Orleans and Texas Pacific Railroad Company, for a period of sixty years, beginning July 1, 1906, at a rental of \$1,050,000 per annum during the first twenty years, \$1,100,000 during the second period of twenty years, and \$1,200,000 per annum during the third period of twenty years. The existing lease, yielding

<sup>1</sup> Contributed by Max B. May.

\$1,250,000 per annum, does not expire until July 1, 1906. Rent of \$1,050,000 per annum will be paid annually; the remaining \$200,000 per annum will be paid at the rate of \$40,000 per annum in quarterly installments of \$10,000 each until paid; deferred payments bearing three per cent interest. The lessee will build terminal facilities at an expense of \$2,500,000, authority being granted at the election to issue bonds of the city for that purpose. The lessee must provide for the interest and redemption of these bonds. The great advantage to the city in the extension of the lease is the opportunity of refunding outstanding railroad bonds bearing a high rate of interest at a much lower interest. When the bonds were originally issued the rate was 7 3-10 per cent, 7 per cent, 6½ per cent and 5 per cent; it is now confidently expected that as these bonds mature they can be refunded at a rate not exceeding 3½ per cent.

The election in other respects was uneventful. The success of the Republicans throughout the state is not propitious for the new municipal code which will be submitted to the legislature in January, 1902.

The new legislature will be called upon to meet the important question of uniform classification of cities. Within the past few months the supreme court of the state has declared unconstitutional many laws especially drawn to meet local conditions. Many improvements contemplated are necessary and imperative, therefore unless a new constitutional classification of cities can be provided, great inconvenience will result.

**San Francisco.**—*The Charter of 1900.*<sup>1</sup> The new charter of the city and county of San Francisco went into full effect in January, 1900, under a body of officials elected in accordance with its provisions. From the municipal reports for the first year of the new régime, from observation of its general workings, and from conference with representative men of the city, it is possible to form a fairly accurate judgment of the relative merits of the existing order. Even with all the imperfections which have been brought out by experience, the charter is undoubtedly working well. Those who criticise most severely the men and measures of this first administration under its provisions, admit that the present is a great improvement over any previous government in almost every particular. Barring some friction in the Board of Police Commissioners over the election of a chief of police, which resulted in the removal of one of the members, the new machinery has worked without serious difficulty and with no more considerable scandals than those originating mainly in the offices of the personal and partisan press.

**Civil Service.** The operation of the sweeping and stringent pro-

<sup>1</sup> Contributed by Professor Kendric Charles Babcock, University of California.

visions of the charter relating to the civil service has been both disappointing and gratifying. The enemies of the reform, aided by the over-zealousness of the Civil Service Commission in the application of their rules to places already filled, soon took the matter into the state courts. Five distinct suits were begun, and every effort made to overthrow "objectionable provisions." Last spring the Supreme Court handed down two decisions: one affirmed unanimously the validity of the municipal merit system, the other decided by a bare majority of the court that the civil service provisions of the charter could not be applied to county offices like those of sheriff, assessor, recorder, and county clerk, which were regulated by general state law. The two systems will thus have a fair trial side by side in the same city hall. Somewhat more than three hundred out of the sixteen hundred positions put by the charter under municipal civil service, are now filled by appointees from the commission's eligible list. All the evidence thus far gives the advocates of the merit system much satisfaction.

*Bond Issue.* Just before the charter went into effect, the people of the city voted to issue \$11,000,000 of bonds for a new sewer system, new hospital, new school buildings, and an extensive enlargement of the park system. As the city had practically no funded debt at all, this was not venturing out any great distance upon the dangerous sea of debt. But here again the Supreme Court was appealed to, and decided that the method by which the bonds were voted, was illegal, being in accordance with an act of 1889 which, so far as San Francisco was concerned, had been superseded by the different method provided by the charter which went into effect after the bond election, but before the bonds could be issued. No other bond election has been held, therefore the much-needed improvements must wait.

*Initiative.* One experience with the radical provision of the charter providing for initiative and referendum, is decidedly instructive. For climatic and other reasons, San Francisco is afflicted with year-round racing and coursing, and a very large number of persons is more or less interested in gambling on these races. The Board of Supervisors refused to pass an ordinance legalizing pool-selling in the downtown districts. The pool-sellers thereupon proposed to the people, by petition, with the required number of signatures, an ordinance giving the desired privileges, and it was only by most vigorous agitation through mass meetings and the press, that the proposed ordinance was defeated at the November election by the decisive majority of three thousand. This is the only instance where the initiative has been tried here, and it is not likely to be used again immediately.

**Buenos Aires.**—*Municipal Statistics.* There are in the United States many cities that publish readable and clear statements of municipal conditions. There are many other large cities which do not seem to appreciate the importance of instructing citizens in the details of administration. It may be of interest to cite here the *Monthly Bulletin of Municipal Statistics* of the city of Buenos Aires. It contains six double pages, in which are found the following: I. *Meteorological Observations.* II. *Movement of Population:* hospitals and homes, lunatic asylums, registry of prostitutes, hospital movement, crematory, night shelters; demography—births, marriages and deaths, according to age, cause and sex; deaths, according to nationality, condition, sex; epidemics and tubercular diseases by district and by house, whether private, tenement or public establishment. Articles of food received by 35 markets and 596 butchers' shops, and result of inspection of foods, water supply, bakers' shops; police and prison statistics with cause for commitment are stated.

Under *Economy* are given by parishes the properties sold, their areas in thousand square feet, the value of sales in paper dollars, and the average value in dollars per one thousand square feet of ground; by parishes also the real estate mortgaged, area and value. Venders and purchasers are given by nationality as are mortgagors and mortgagees, together with amounts of mortgages bought and sold. The value of gold and the rates of exchange, together with proceedings of stock exchange, trade marks registered and patents are given.

Under *Locomotion*, statistics appear with reference to horse and electric traction according to the company in control; the number of companies, engines, coaches, cars, passengers and mileage; also municipal licenses granted on various vehicles from private coaches to hand carts.

Under *Sundries* are facts of interest with regard to licenses granted for dogs, pistol shootings, bicycle riding, magic lanterns, gondolas, etc.; dispatches sent and received by telegraph, telephone and messenger service; details as to races, ball courts, theatres, libraries, loans and savings at Municipal Savings Bank and Mont de Pieté; postal traffic and parcels post; education, drainage, garbage plants, incinerators, street sweepings, irrigation and municipal inspection. It appears that the population of Buenos Aires was on January 31, 1901, 824,158.